

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MR. WATER HEATER ENTERPRISES, INC. :
et ano.,

Plaintiffs, : 08 Civ. 10959 (WHP)

ORDER

-against-

1-800-HOT WATER HEATER, LLC et ano.,

Defendants.

-----X

WILLIAM H. PAULEY III, District Judge:

Counsel for all parties having appeared before this Court for a discovery conference on May 14, 2009, this Court orders Defendants to produce the following by May 28, 2009:

1. Defendants shall produce the royalty rates they collected pursuant to the licensing agreements Plaintiffs have requested; and
2. Defendants shall provide an explanation to Plaintiffs for the disparity between the annual gross sales estimate given to this Court on January 8, 2009, and that which is reflected on the 2008 income tax return produced to Plaintiffs.

Dated: May 14, 2009
New York, New York

SO ORDERED:



WILLIAM H. PAULEY III

U.S.D.J.

Counsel of Record:

Gerard Patrick Norton, Esq.
Fox Rothschild, Attorneys at Law (NYC)
100 Park Avenue, Suite 1500
New York, NY 10017
Counsel for Plaintiffs

Eric Weinstein, Esq.
Feldman Weinstein & Smith LLP
420 Lexington Avenue
New York, NY 10170
Counsel for Defendants